

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of)
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Shunpei Yamazaki et al.)
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Serial No.: 09/544,801)
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Filed: April 7, 2000)
)
For: Semiconductor Device And Method)
 For Fabricating The Same)
)
Art Unit: 2826)
)
Confirmation No.: 1717)
)
Examiner: Fazli Erdem)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE (H) TO OFFICE ACTION

Sir:

Applicants have the following response to the Office Action dated August 23, 2006. Initially, Applicants appreciate the Examiner's allowance of Claims 10-14, 17-23, 26 and 27. Applicants have now address the Examiner's remaining rejection in the Office Action.

Double Patenting

In the Office Action, the Examiner rejects Claims 68-71 and 76-88 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 23-25, 27-33, 35 and 36 of US 6,573,564. This rejection is respectfully traversed.

In the Office Action, the Examiner contends that claims 23-25, 27-33, 35 and 36 of the '564 patent disclose a storage capacitor comprising a portion of said semiconductor layer, a portion of said gate insulating film, a same material as said first conductive layer and a same material as said second conductive layer.

Applicants respectfully disagree. Claim 23 of the '564 patent recites a storage capacitor comprising a same conductive film as the gate wiring, a dielectric body, and a semiconductor layer. Claim 31 of the '564 patent recites a storage capacitor comprising a first conductive film common to the gate wiring, a dielectric body, and a second conductive film common to the source wiring. Claim 35 of the '564 patent recites a storage capacitor comprising a first conductive film common to the gate wiring, a dielectric body, and a pixel electrode. However, none of Claims 23-25, 27-33, 35 and 36 of the '564 patent recite or suggest the above claimed feature of a storage capacitor comprising a portion of said semiconductor layer, a portion of said gate insulating film, a same material as said first conductive layer and a same material as said second conductive layer, and the Examiner has not shown how the claims of the '564 patent disclose this feature.

Therefore, there is no double patenting, and it is respectfully requested that this rejection be withdrawn.

Conclusion

It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any fee is due for this response, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

Date: November 21, 2006

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